

Articles

Identifying Victims: Child Abuse and Death in Canadian Families

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Abstract. This study examines the murder and abuse of children in Canada in the context of the commonplace of much violence and death and explores the shifting response of observers over more than a century. A review of the cases of three children who died at the hands of their caregivers in the late 20th century exposes mainstream and official preoccupation with the failures of individuals and of welfare systems rather than with the systemic disadvantage experienced by mothers and children alike.

Keywords. child welfare, child abuse, maternal disadvantage, family violence

Résumé. Ce texte situe le meurtre et la maltraitance des enfants au Canada dans le contexte généralement banalisé de la violence et de la mort, et explore comment les réactions des observateurs se sont transformées pendant plus d'un siècle. Un examen des cas de trois enfants morts aux mains de ceux qui en avaient charge à la fin du XX^e siècle, fait ressortir la focalisation des préoccupations dominantes et officielles sur l'échec des individus et des services sociaux, plutôt que sur les handicaps systémiques vécus par les mères et les enfants.

Mots-clés. bien-être de l'enfance, maltraitance des enfants, handicap maternel, violence familiale

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Every child's death from abuse or neglect diminishes us all, and every child's unexpected death needs to be examined carefully. In addition to any other investigations into a child's death by police, a coroner, or in legal proceedings, we have the right to expect that every suspicious or unexpected death of a child in the child welfare system be reviewed in a timely, thoughtful, and impartial manner, with a view to learning lessons that can guide protection, parenting and caregiving practice in the future, so that similar tragedies can be avoided.¹

Despite its up-to-date chronicling of BC's child welfare failures, this 2006 condemnation by the distinguished jurist, the Honourable Ted Hughes, might fairly have been written at any time and in any Canadian jurisdiction since Confederation in 1867. While always a minority phenomenon,² child abuse and death are not new. Only in the last decades of the 20th century, however, did Canadians grow uncomfortably familiar with public investigations and headlines featuring young victims. Canadian historians, other scholars, and public commentators in general have rarely given the longer tragic tradition the careful examination recommended by Hughes. The significant exception is important work by Marie-Aimée Cliché who has charted the evolution of attitudes to the punishment of children in Quebec. In particular, she has identified the symbolic significance of the child martyr, evoked especially in the case of Aurore Gagnon, murdered by her father and stepmother in 1920, and again in 46 deaths from 1953-65, in encouraging more humane treatment of children. This paper traces a related story in English Canada, although it does not discover any single murder with the same symbolic value attached to 10-year-old Aurore. It too, however, tries to situate the murder and abuse of individual youngsters in the context of the recurring domestic abuse of children, a tale that Annalee Lepp also has exposed in detail for Ontario before 1920.³ Cliché's and Lepp's emphasis on household failures are further consistent with modern estimates such as that by the Canadian Centre for Justice Statistics which concluded that parents committed 88% of child and youth homicides between 1991 and 1999.⁴

The story here is told in three stages. First, it considers violence and mortality as long-time facts of life for girls and boys and a critical backdrop to child abuse and death in particular. Second, it explores the shifting response of observers in English Canada, expert and popular, to the neglect, abuse and death of girls and boys over more than a century. Finally, it reviews the cases of three youngsters whose manner of death made them the subject of public scrutiny at the end of the 20th century. Like Hughes's inquiry, it chronicles recurring unwillingness to address disadvantage, both of the children themselves and of the women, often mothers, who have frequently been both victims and perpetrators.

AT HOME WITH VIOLENCE AND DEATH

For all the moral panics over juvenile, gang, and internet violence in the 1990s and 2000s, life is in fact safer for most modern Canadians, including children who have benefited from generally growing repugnance to aggression and support for human rights. For much of Canada's history brutality was, however, enshrined in much law and custom. Wives could be beaten. Prisoners could be whipped. Animals could be tortured. Youngsters could be battered. Groups designated inferior and properly subordinate to mainstream masculinity regularly found themselves targets of fists, boots, and instruments of domination that ranged from native residential schools, reformatories and asylums to the militia and the RCMP. Abusive individuals might act seemingly alone but they frequently embodied pervasive assumptions of the legitimate authority of some peoples over others. While it is easy to recognize leading offenders as adult men of European origin, those in other words who monopolized much power, the contagion of violence has been endemic, affecting all relations. When it comes to youngsters in their direct care, adult women have sometimes been actors in a cultural script that too often takes violence for granted.

For many years, Canadian legislation offered considerable protection for aggression. In 1892 the new Canadian Criminal Code captured prevailing opinion in affirming both corporal and capital punishment.⁵ Children, like others in subordination such as women and prisoners, were especially subject to the Code's legitimization of physical discipline. Section 43, sometimes dubbed "the spanking law," gave parents, guardians, teachers, and masters of apprentices the right to employ force in disciplining youngsters.⁶ Despite significant objections over the next century, this provision for "reasonable" correction has only slowly been called into question.

In 1955, the Code was slightly, albeit notably, amended to omit masters of apprentices from its protection. In the closing years of the 20th century various provincial and territorial governments excluded schools and daycares from its shelter.⁷ In 1994 Quebec pioneered the elimination of the "right of correction" from its Civil Code. Canada's ratification in 1991 of the United Nations Convention on the Rights of the Child, with its commitment to freedom from physical violence, exemplified growing reservations. Modern scholarship that emphasized the threats posed to victims' long-term well-being and the negative consequences to society in general made the case for repudiation of corporal punishment all the more convincing.⁸ So too did the finding of the 2001 *Canadian Incidence Study of Child Abuse and Neglect* which revealed that 69% of "all substantiated physical abuse cases resulted from 'over' discipline."⁹ Two years later, a national survey suggested that a majority of Canadians were

nursing new reservations about old practices: 69% agreed that school-teachers should be prohibited from physically punishing pupils and 51% included parents within the prohibition.¹⁰

For all such shifting opinion, Canadians sometimes remained reluctant converts. Many respondents to the 2003 survey, for instance, awaited convincing proof of the shortcomings of physical discipline.¹¹ This credibility gap could have significant repercussions: another poll at much the same time reported that 55% of its sample found it difficult to “report actual or suspected abuse by someone they knew.”¹² Hesitation was familiar. Sometimes it could be driven by intimidation as when Ontario’s Superintendent of Neglected and Dependent Children observed in 1911 that “toleration” was “often inspired by fear of personal harm.”¹³ Reluctance to intervene could not, however, be explained solely by concerns with personal safety. Families were commonly considered protected sites, where strangers in particular should be loathe to pry. In such a climate, Section 43 regularly found champions. As late as 2004 a majority decision of the Supreme Court of Canada declared that provisions for corporal discipline did not violate the Canadian Charter of Rights and Freedoms.¹⁴ Some degree of pain at the hands of adults was still assumed to be a near-necessary part of growing up for many children.

Violence survived into the 21st century as a relic of a hard world in which high levels of child mortality were assumed to be similarly natural and even to be expected as part of the human condition. Deaths from poverty, epidemics, accidents, and endemic violence dogged Canadians well into the modern period. Especially before the advent of sulfa drugs in the late 1930s, a certain degree of fatalism, assuaged for some by religious belief, about young casualties was understandable. Such a response helped underpin commonplace failure to report all deaths or to ascribe exact cause or blame.¹⁵ As late as 2006, a study for BC’s Children and Youth Review concluded the “regular and formal review of deaths and critical injuries of children” in Canada and the provinces was still relatively recent. The US, the pioneer in such matters, had initiated review teams with Los Angeles taking the lead in 1978. In 1995 BC’s Gove Inquiry into the death of six-year-old Matthew Vaudreuil endeavoured to set a higher Canadian standard by recommending a dedicated appraisal process.¹⁶ Many provinces and territories began at much the same time to implement procedures for investigating child and youth deaths but their tenure could be uncertain as British Columbia discovered when Gordon Campbell’s Liberal government axed the Children’s Commission with its reporting mandate in 2002.¹⁷

Despite imprecision, the minimum numbers of deaths of Canadian youngsters are brutal enough. At least 832,193 Canadians under one year of age are known to have died between 1921 and 1974. By 2000 a further 71,935 had met their end. When those between 1 and 18—some

71,464 children and young people between 1975 and 2000¹⁸—are included, catastrophe clearly haunted many families. Between 1991 and 1995, 2,665 Canadian children aged 1-14 died of intentional and non-intentional injuries.¹⁹ In such a context, non-accidental child death could readily be obscured and overlooked.

While overall child and youth mortality rates dropped dramatically over the 20th century, disadvantaged groups, notably Indigenous communities and the poor more generally, have generally been overrepresented.²⁰ As a 2001 UNICEF study of child mortality in rich countries confirmed, “the likelihood of a child being injured or killed appears to be strongly associated with such factors as poverty, single parenthood, low maternal education, low maternal age at birth, poor housing, large family size, and parental drug or alcohol abuse.”²¹ One landmark study fairly concluded that the assumption that child abuse is “classless” can be rightly dubbed a myth, albeit a convenient one that redirects scrutiny from structural inequalities.²² The rich may very well mistreat their own youngsters but they can find many more outlets for frustrations and anger and shift duties to other caregivers. Their options, and escape from public scrutiny generally, are rarer for the poor, especially for women—the great majority of direct caregivers—when birth control has been regularly limited, a living wage uncertain, male partners unreliable, and authorities suspicious.

The regular acceptance of violence and prevalence of youthful mortality have combined with the unreliability of diagnosis,²³ jurisdictional complications, and the continuing sense of adult entitlement to produce recurring shortcomings in the data on abuse and neglect. Even when the great majority of young deaths are “natural,” caused by illness, congenital disability, or accident, a significant group remains at least somewhat suspicious as Ottawa lawyer Corinne Robertshaw discovered in her landmark study for the federal department of Health and Welfare in 1981.²⁴ The recovery of unreported graves associated with institutions such as Nova Scotia’s Ideal Maternity Home which operated seemingly respectably from the 1920s until after World War II, and Manitoba’s Elkhorn residential school for native girls and boys provided further reminders just how easily adults could make some youngsters disappear.²⁵

CONFRONTING ABUSE AND LOSS

Canadians’ initial collective discovery of child abuse and neglect occurred in the decades immediately before World War I when a generation of reformers first turned to rescue. Late 19th- and early 20th-century provinces and reform-minded citizens were inspired by a growing sentimentalization of childhood (at least for the middle class), an emerging women’s movement, and fears of social breakdown to enact

unprecedented protections for the young. Initiatives, such as Ontario's Department of Neglected and Dependent Children (1893), Saskatchewan's Bureau of Child Protection (1900), and Nova Scotia's Office of the Superintendent of Neglected and Dependent Children (1911) reflected both a growing attentiveness to children's well-being and a determination to control community and domestic behaviour.

While neglect, abuse, and even death in Canada's Native residential schools, schools for the deaf and the blind, orphanages, reformatories and asylums have been documented as long-standing, early child welfare authorities, with some noble exceptions such as Dr. Peter Bryce, medical Inspector for the Department of Indian Affairs, who condemned Native residential schools in 1907,²⁶ paid little attention. In Quebec, the extended authority of the Catholic Church further ensured that institutional options, from orphanages to residential schools of every kind, remained in favour well into the 20th century.²⁷ Elsewhere, most urban reformers, concentrating on assisting and disciplining the families of the urban poor, were earlier critics of institutional life for newcomer, if not Native, children. Fearing that institutions crippled initiative and bodies, they focused on domestic solutions to the widespread distress. They frequently turned to the removal of abused and neglected offspring from seemingly irresponsible parents and their placement in substitute homes. Like many custodians of orphanages before them, however, they also sometimes understood that poverty was a direct cause of much tragedy.

While occasional stories, as with one Italian immigrant's murder of her abusive husband in Ontario in 1911, surfaced for extravagant coverage,²⁸ family violence was rarely of special interest. Only feminist reformers such as those in the Woman's Christian Temperance Union targeted domestic abuse, most commonly by violent and drunken men, as a major cause for alarm but their discovery could be undermined by classism and racism. When organized feminism waned in the 1920s, its insights were largely lost for nearly half a century.²⁹ Indeed the general decline of social reform movements after World War I meant that the fate of youngsters largely slipped off the public agenda.

Only in the 1960s and 1970s did youngsters' abuse, neglect, and death again begin to capture significant expert and public interest. Their emergence, much like that earlier, was international. In 1960 the American Dr. C. Henry Kempe organized a key event, a symposium on child abuse for the American Academy of Pediatrics, where the term, the "battered child syndrome" (BCS) first emerged. His much-cited 1962 article on BCS summed up years of observations. In both the US and Canada the response was swift. A virtual landslide of legislation required the mandatory reporting of abuse: northern pioneers included BC in 1967, Nova Scotia in 1968, Newfoundland in 1969 and Alberta in 1970. By the end of the latter decade most Canadian jurisdictions had some such provi-

sion.³⁰ Other initiatives, such as the Child Protection Committees of the Montreal Children's Hospital in 1962 and of the Winnipeg Children's Hospital in 1968 and the Calgary Child Abuse Advisory Committee in 1972 and a multidisciplinary child abuse team at Calgary's Children's Hospital in 1974-75, followed.³¹ Provinces supported unprecedented investigations: in 1972 Cyril Greenland produced his ground-breaking report, *Child Abuse in Ontario*, followed a year later by Murray Fraser, J. P. Anderson and K. Burns's *Child Abuse in Nova Scotia*. Such professional initiatives were joined by feminist muck-raker Mary Van Stolk's best-selling *The Battered Child in Canada* (1972) which was specially commissioned by Canadian publisher Jack McClelland, well-known for his sensitivity to popular opinion.³² In 1977 leading social work scholar, Ralph Garber, a Canadian who had been employed in the American child welfare field, presented the findings of the Ontario Task Force on Child Abuse.³³ The House of Commons' Standing Committee on Health, Welfare and Social Affairs also took unprecedented steps in assessing child abuse and neglect in 1974, 1975, and 1976.³⁴ By 1977, leading social work scholar Benjamin Schlesinger supplied another sign of renewed sensitivity with his *Child Abuse in Canada*.³⁵

This return of child welfare to the public agenda was unusual in its particular attention to sexual abuse within families.³⁶ While this had been imbedded in stories uncovered by the earlier reformers and experts, it had received very little explicit notice.³⁷ In the context of the renewed women's movement, which provided the critical tools for understanding the oppression of both children and women, however, silence was no longer acceptable.³⁸ In 1984, the federal government published Canada's most extensive study of child sexual abuse, the report of the Committee on Sexual Offences Against Children and Youths. Its author, Calgary social worker, Christopher Bagley concluded that 53% of adult Canadian women and 31% of men had been sexually abused as youngsters.³⁹ The unlocked floodgates produced a stream of Canadian victim-survivor narratives.⁴⁰ Crusading journalist Judy Steed captured public attention, much like Van Stolk before her, with a riveting popular account, *Our Little Secret: Confronting Child Sexual Abuse in Canada* (1994). The discovery of sexual abuse, while closely related to other concerns in child welfare, often stood out with respect to its inclusion of middle-class families within the general story, although such seeming classlessness was not convincing. Again it is useful to remember that abuse may be about morality but it is also about power and the poor and the disadvantaged generally have less of the latter. In any case, the discovery of child sexual abuse enlightened Canadians as never before to the extent of children's oppression by adults.

Despite increasing documentation of violence and sometimes death, skeptics persisted. In 1978, Ontario's Task Force on Child Abuse con-

cluded that "major institutions and professions (especially physicians)" typically failed to "effectively support child abuse reporting" and weakened "the efforts of local Children's Aid Societies."⁴¹ The fact that some Alberta child welfare professionals were subjecting young residents of a Peace River treatment centre at much the same time to a behaviour modification regime that included eating dog food, urinating on their bed sheets, and standing for 12 to 16 hours with their hands in water-filled sinks, further suggests that even supposed experts might have difficulty distinguishing abuse and discipline, just the failure that Marie-Aimée Cliché has noted of parents.⁴² Closely related has been the recurring unwillingness to believe children even when voices and bodies communicated distress and when corroboration was available.⁴³ Recognition that youngsters, and the grown-ups they become, can lie and misremember has readily translated into a wholesale refusal to listen. When Ottawa lawyer Corinne Robertshaw set about to investigate the extent of child abuse in Canada in the late 1970s, she found her efforts truncated. The *Toronto Star* spoke for those who wondered why some authorities wished to be spared the graphic details of the brutal stories she uncovered.⁴⁴ The appearance of a new, pseudo-scientific diagnosis, "False Memory Syndrome," in the last decades of the 20th century when Canadians were deeply divided about unprecedented claims of sexual abuse seemed very much in keeping with longstanding patterns of disbelief.⁴⁵ Little wonder that NDP MP Margaret Mitchell was a target for laughter when she raised the issue of violence against women in the House of Commons in 1982.

Despite resistance and the continuing problems with data, however, a much clearer picture of children's victimization was emerging. Canadians learned, for example, that family members killed 1,326 children and youth between 1974 and 2001, 84% under age 12. In 2006, Statistics Canada reported that the rates had stayed much the same over three decades.⁴⁶ Also newly visible were victims of Shaken Baby Syndrome (SBS), estimated as at least 363 cases in 11 Canadian hospitals between 1988 and 1998. While data remained chronically uncertain, Canadians were told in 2003 that "a minimum of 40 cases of SBS occur annually...from which 8 children will die, a further 18 will have permanent neurological injury requiring life-long assistance and 17 will be taken into foster care."⁴⁷ Indeed girls and boys under one year of age are clearly an especially vulnerable population. Like youngsters with disabilities, another group particularly subject to violence, infants and toddlers are likely to have less contact with the world outside the family and less opportunity to make their needs known. The requirements of their care can also produce great stress, particularly if parents are isolated and young.⁴⁸

In a century and more of state initiatives in child protection, Canadians also learned more about the perpetrators of violence. The failure,

sometimes the inability, of many fathers and husbands to provide economic and emotional support and their frequent intimidation of partners and offspring contributed immeasurably to abuse. Many daughters and sons died directly at the hands of their fathers, confirming the dominant pattern of male perpetrators of homicide. Child deaths are, however, the one area of violence in which women have sometimes equalled or surpassed the numbers of male offenders. Linda Gordon's landmark study, *Heroes of Their Own Lives: The Politics and the History of Family Violence, Boston, 1880-1960*, alerted historians to women's capacity for the abuse of children.⁴⁹ While persisting unreliability of the data makes exact calculation impossible, the fact that women regularly spend much more time with offspring, that they are very likely to have been abused themselves, and that most have fewer options of escape than fathers helps explain significant numbers of female perpetrators.⁵⁰

Ontario social work scholar Cyril Greenland captured women's particular vulnerability when he observed that maternal offenders in Ontario, like many in the United Kingdom and the United States, have commonly been teenagers, pregnant, depressed, previous wards of the state, brutalized and/or abandoned by adult men, and most often economically marginal.⁵¹ Yet even as conditions spiral downward and children become the outlets for lives gone wrong, women have often resisted surrenders that appear only to confirm public failure at what has been commonly considered the pre-eminent duty of their sex. Many women also, as Greenland and others have confirmed, engage in a variety of help-seeking behaviours before they reach "the end of their tether, fearful that they may lose control and harm their children."⁵² While concrete aid has frequently been absent or fleeting, communities have sometimes acknowledged women's frequently special predicament, much as with cases of infanticide, in a greater unwillingness to prosecute female offenders.⁵³

By the end of the 20th century the abuse and loss of youngsters were familiar news to Canadians. While data remained less complete than scholars would like, some patterns are obvious. Children and parents who suffer systemic disadvantage have been massively overrepresented in the long roll-call of violence. As we see next, public inquiries, like coroners' reports, into youthful victims that became a commonplace of late 20th and early 21st century life, tell an uncomfortably familiar story.

REPORTED AMONG THE MISSING: KIM, MATTHEW, AND SOPHIA

Public inquiries into child deaths in Canada are very much a phenomenon of the last decades of the 20th century.⁵⁴ In particular, investigations into the murders of Kim Anne Popen (1975-1976), Matthew John Vaudreuil (1986-1992), and Sophia Lynn Schmidt (1995-1996) illuminate recurring problems and concerns in child welfare. As subjects of

public inquiries and massive media coverage, their lives offer insights into the larger phenomenon of systemic childhood vulnerability. In particular, they embody the commonplace portrait of prolonged female disadvantage and family fragility and repeated attention from child welfare authorities.

On 11 August 1976, Kim Anne Popen died at 19 months as a result of head injuries. She had suffered multiple contusions and abrasions on her face, head, extremities, and body, and there were signs of sexual abuse. Kim's mother, Jennifer Popen, pled guilty to manslaughter in December 1977 and was sentenced to seven years in prison. Her father, Annals Popen, received one year in jail, a conviction later overturned. Kim's death and that of several other children in the mid- to late-1970s forced Ontario to order a judicial inquiry.⁵⁵ Judge H. Ward Allen considered the testimony of family members, neighbours, social workers, medical professionals, and legal experts between March 1978 and October 1982 and produced the four-volume *Judicial Inquiry into the Care of Kim Anne Popen by the Children's Aid Society of the City of Sarnia and the County of Lambton* (1982).

Ten years later, Matthew John Vaudreuil was killed in Vancouver by his mother, Verna. After years of abuse and neglect, the five-and-a-half-year-old died of asphyxiation. Verna was convicted of manslaughter and received a sentence of 10 years, reduced on appeal to four. Public outrage forced British Columbia to commission the *Gove Inquiry into Child Protection*. Between June 1994 and November 1995 Judge Thomas Gove heard from government employees, social workers, medical care providers, legal experts, and Verna Vaudreuil's family and friends. In 1995, he released two volumes entitled *Matthew's Story* and *Matthew's Legacy* which condemned the province's child welfare system.⁵⁶

A few months after the release of Gove's report, nine-month-old Sophia Lynn Schmidt was shaken to death in Winnipeg, Manitoba, by her stepmother, Norma Jean Sinclair. The little girl had been living with her father, Wade Tanner, and his new family that included three Sinclair boys, for two months. Sinclair pled guilty to manslaughter and was sentenced to five years in prison. After conviction for criminal negligence, Tanner faced four years. In February 2003, Judge Arnold Conner released his inquest report under the Manitoba Fatal Inquiries Act. Like Allen and Gove, the Winnipegger interrogated a throng of interested parties, including social and support workers, medical and legal specialists, family and friends of Tanner and Sinclair.

MATERNAL DISADVANTAGE

Women's disadvantage is central to all three cases. The fact that a significant number of public investigations into child deaths at the hands of kin care-givers involves women as perpetrators reveals the particular

nature of such horrendous events. Although many youngsters ultimately die at the hands of their fathers or male adults, such homicides usually occur in significantly different circumstances, notably when men set out to punish adult women.⁵⁷ Kids die and sometimes mothers and then husbands-fathers frequently commit suicide. Such tragedies rarely generate public inquiries, although they may end in criminal prosecution. In a curious way, they appear almost not to need explanation. This failure to inquire further is not unusual. Male domestic violence is the common pattern. As one Canadian study has recently concluded, "the invisibility of men who assault mothers, at all levels of child welfare, whether practice, policy, or discourse, is so thorough and so profound that it seems a conjuring trick."⁵⁸

In contrast, women implicated as perpetrators act out a scenario which perplexes and fascinates observers. Their failures, unlike those of fathers and husbands who are largely invisible in the great majority of inquiries,⁵⁹ challenge important conventions of motherhood. Jennifer Popen, Verna Vaudreuil, and Norma Jean Sinclair were not the figures envisioned in contemporary prescriptions of parenthood. Indeed, the dominant ideology of motherhood in Canada, as Marlee Kline observed in her explorations of child welfare law and First Nations mothers, favours women of certain races, classes, sexualities and abilities as more "appropriate for motherhood than others." Others confront "serious barriers and difficulties."⁶⁰ What is more, since mothering is "presented as natural, necessary, and universal, poverty, racism, heterosexism, and violence that often distort the lives of non-conforming mothers are effectively erased."⁶¹ Like many others in their situation, the mothers of Kim, Matthew, and Sophia operated outside the universalizing doctrine of contemporary motherhood. All three endured isolation, abuse, and disadvantage based in race or disability and, always, class. Ultimately, the engagement of all three in the lives of their offspring was deeply compromised.

Jennifer Popen, Verna Vaudreuil, and Norma Jean Sinclair had limited access to what Kline terms the "matrix of behaviours deemed to constitute 'good' mothering."⁶² Trauma and alienation had long molded personal histories that left them regularly ill-equipped to trust others, to communicate their own feelings or needs effectively, or to meet the requirements of vulnerable youngsters. All three endured physical, sexual and emotional abuse as children. At age six, Jennifer was abandoned by her biological parents and left in the care of extended family members who physically and sexually abused her; at age 11 she bore a baby.⁶³ Verna experienced similar mistreatment, first at the hands of her parents and then in foster care. At age 16, after abuse by her immediate family and other kin, Norma Jean became a ward of the Winnipeg Child and Family Services. In short, none of these "bad" mothers had much, if any, experience of positive parenting.

Male partners were similarly unreliable. Thirteen-year-old Jennifer was forced to marry a stranger and to emigrate from Jamaica to Canada where she knew no one.⁶⁴ Her husband's relatives did not welcome her and he appeared unable to offer much emotional support. The Allen inquiry summed up Annals Popen dismally as "a passive, docile, almost plodding partner."⁶⁵ Vaudreuil lacked any steady companion. Matthew's father disappeared. When it came to her relationship with her son, other men in her life were occasionally concerned but otherwise apparently cautious or disinterested. The one boyfriend, Patrick Johnson, to alert social services, was told that "'they didn't want to hear it' and that they didn't deal with his 'kind.'" The fact that he was Aboriginal hardly seems coincidental to this dismissal.⁶⁶ Another sad story emerged later in Winnipeg where fathers were again spectacularly absent or inadequate. Norma Jean Sinclair was an Aboriginal woman who tried to escape alcohol addiction and life on the streets. Before she hit the headlines, she bore four sons between 1990 and 1995. At various times, the first three were apprehended and one, a victim of FASD, became a permanent ward of Winnipeg Child and Family Services. The fathers of the first three appear to have disappeared by the time Norma Jean had found Wade Tanner, a man who also offered little as a husband or father when he came home after work. The fact that he impregnated Sophia's mother while living with and impregnating Norma Jean told volumes about his reliability and commitment.

Jennifer, Verna, and Norma Jean had little to offset the shortcomings of families and male partners. A Black stranger in a new land, Jennifer had left behind whatever networks she might have had in Jamaica. Members of Canada's own Black community did not appear as visible interveners in the domestic tragedy that unfolded. Although Verna's friends and neighbours and Norma Jean's extended kin all offered occasional help with babysitting, car rides and finances, such supports could not counter worsening situations. Family members and neighbours, whose circumstances may well have been not much better, faced women who proved extremely difficult to help as they cycled downward into disaster. Wary, unskilled, and, one suspects, angry, the three mothers were increasingly isolated.

Alienation was further guaranteed by race and disability. As a poor Black Caribbean immigrant, Popen was immediately on the margin of dominant Canadian notions of respectable motherhood.⁶⁷ The notable absence of any mention of her race and immigrant status in much press coverage of Kim's death or the judicial inquiry eloquently conveys the refusal to confront racism. Some three decades later, Sinclair also stood far from the Canadian mainstream. As an urban Aboriginal woman in the early 21st century, however, she could benefit, at least somewhat, from unprecedented awareness of racial disadvantage. Over the years,

Norma Jean sought help in mothering from various Winnipeg agencies and associations, including those run by and for Aboriginal women. None, however, could cope with the extent of the disaster looming for a young woman who fought to stay off the streets and to parent too many needy children.

As a white woman, Verna Vaudreuil might have been one step ahead of Jennifer and Norma Jean but she too had prejudices to confront. While not Native herself, she and, most directly, Matthew, were betrayed by the racism that helped discount a boyfriend's warning. Verna also grew up with significant learning and behavioural injuries that left her convinced that she was mentally handicapped.⁶⁸ While often encouraged and even ordered to take instruction in parenting, personal hygiene, and homemaking, improvements seemed beyond her. A lifetime of poor educational outcomes accustomed her to failure.

As marginalized women, Jennifer, Verna, and Norma Jean had good reason to fear child welfare services. Longstanding personal histories handicapped them in performing even the semblance of respectable mainstream mothering. Even before children died, these adults were clear candidates for maternal failure. When death arrived for Kim, Matthew, and Sophia, it was hardly unexpected. Like the women responsible for them, they had not been in good shape for some time.

Poverty informed all of their longstanding disabilities. In life as in death, the victims and their parents were defined by their economic circumstances. This reality nevertheless went largely unmentioned by the three inquiries. The inability of Kim Popen's parents to make ends meet emerged as little more than background noise in the general story of violence and pain. When Kim was born, her mother was 16 years old, without independent income and with few skills that could translate into economic well-being. Her grade 8 educated 35-year-old husband made an uncertain living in construction. The family was repeatedly forced to shift residence in the months before Kim's birth. Verna Vaudreuil grew up with little to call her own and her family had nothing to pass on to make life easier. As an adult with limited skills and significant handicaps, she survived on meagre government support. Matthew was underfed and close to tatters even as Verna begged and borrowed from social workers and friends.

Sophia Schmidt was similarly mired in longstanding poverty. At the time of her death, she was living in a one-bedroom apartment with three boys all under six and an overwhelmed stepmother. Before Sophia arrived, Sinclair had fought to stay sober, regained custody of her first two sons, and given birth to another boy. Coping with three youngsters on the income of an unskilled breadwinner soon, however, proved close to overwhelming. When her stepdaughter arrived, the stage was clearly set for disaster and by the time Sophia's father got laid off, stress and

conflict were ever-present. By January 1996, Sinclair told her social worker that she "had asked Tanner to leave the home and to take Sophia with him."⁶⁹ Even as the family and social workers struggled to find a solution, Sophia died.

The family legacies of Sophia, Matthew, and Kim jeopardized them even before birth. There was little mystery to the problems they encountered. Whatever their awareness of the larger context in which these individual tragedies unfolded, however, Judges Allen, Gove, and Conner ultimately concentrated on the failings of the child welfare system. The bigger picture remained out of focus. Their investigations provided a further demonstration of the sad reality summed up by social work authority, Andrew Armitage, who concluded that child welfare remained disconnected "to issues of child poverty" even as the number of families and children in dire circumstances continued to increase in the late 20th century.⁷⁰

INTERVENTIONS AND JUDGMENTS: THE RESPONSE OF CHILD WELFARE AUTHORITIES AND THE INQUIRIES

These youngsters became best known in death but the precipice before them had been repeatedly mapped. Just as Cyril Greenland noted in 1978, child victims have been commonly well known to protection agencies.⁷¹ Doctors and social workers identified Kim Popen as a victim at two months of age. The pediatrician who saw her in the hospital already suspected something was badly wrong. Less than four weeks later, Kim was back for attention and her family physician was reporting suspicions.⁷² At eight months, she was apprehended by the local Children's Aid Society. Despite a social worker's assessment that "if Kim were returned to her parents she would be in her grave in three months,"⁷³ she was sent back to die a few weeks later.

Judge Allen vilified the social workers, admonished the medical professionals and police, and criticized Ontario's management of child welfare cases and reporting of mistreatment. While his inquiry enhanced public and state awareness of child abuse,⁷⁴ he failed to pay much attention to the preceding predicament of the young mother. Jennifer's voice is markedly absent in the report. Indeed, she is deliberately silenced, deemed by the judge to be unreliable, contradictory and inconsistent.⁷⁵ Allen effectively crucifies the bad mother in the first pages of his report and never really acknowledges the desperate situation of an isolated young Black immigrant.

In five short years, Matthew encountered over 60 professionals alerted to his plight. Several observers believed that Matthew should be apprehended. So, sometimes, did his mother. While Verna first hoped to keep her son out of foster care, which she personally knew too well, she des-

perately sought respite care as he grew older. The only official response was the assessment that this troubled client was trying to "take advantage of the system." At age three, Matthew went into a foster home for two weeks on the condition that Verna take life skills and parenting courses.⁷⁶ In March 1990, the foster mother withdrew services because "she could not handle his mother."⁷⁷ What got lost was the fact that Verna herself had concluded that she was an unfit mother. She was not believed and authorities endeavoured to force her to live up to expectations of normalcy. For the next two years Matthew remained neglected, malnourished, and tortured while slipping under the radar of social and medical support workers. In 1992 Verna moved with Matthew and her boyfriend to Vancouver where the adults once again sought assistance and respite. On 8 July 1992, the little boy died.

Judge Gove criticized the preoccupation of child welfare workers with improving Verna. That focus, something that didn't emerge in the earlier Ontario investigation, meant that they paid insufficient attention to Matthew's well-being. Gove interpreted his mandate for child protection to mean a narrow focus on young victims. He wanted Matthew's tragedy to be used to "improve the way British Columbia protects children."⁷⁸ It was easy to interpret this as justifying more apprehensions rather than addressing long-standing maternal disadvantage. The delinquent mother once again emerged ultimately as no more than a sidebar to the main story of battered children.

A comparison of the three inquiries does, however, suggest some shifts. Over the years, Canadian welfare agencies, spurred by feminist and anti-racist scholarship and activism, appeared increasingly sensitive to the dilemmas facing underprivileged mothers. By the end of the 20th century, many non-profit groups and public agencies recognized the value of assisting women. Norma Jean Sinclair appears to have connected with a team of knowledgeable support workers who appreciated at least something of her predicament.⁷⁹ Unfortunately, such assistance failed mother and step-daughter. A cascade of misunderstandings and misrepresentations placed an unwanted baby with an overwhelmed mother. As Judge Conner concluded, "Having regard to Sinclair's dysfunctional background and history...it was reasonably foreseeable that Sinclair would become overburdened and overwhelmed caring for the four young children. Common sense dictates this conclusion."⁸⁰ This admission in 2003 is far removed from Judge Allen's failure in 1982 to acknowledge the special predicament of a young immigrant mother. After 20 years and many victims, the Conner inquiry understood that even well-meaning mothers can be pushed beyond endurance.

Despite signs of growing willingness to acknowledge poverty and systemic disadvantage, including racism, the spotlight of all three inquiries ultimately, however, remained on the shortcomings of child

welfare operations. That fundamental orientation was entirely consistent with the surging neo-liberalism of the late 20th and early 21st centuries. Even as this gnawed away at the foundations of social security in general, disentitled impoverished populations, abandoned equality agendas, and further entrenched the well-to-do, it blamed those on the margins for failure of will.⁸¹ As Andrew Armitage emphasized in his hard-hitting indictment of the Gove inquiry, the continuing preoccupation with managerial and professional solutions missed the point when it came to assisting vulnerable children and youth.⁸² The result too easily reinforced temptations to blame child neglect "on the deficiencies of individual mothers," not to mention those of social workers, not coincidentally a largely female constituency, and to ignore "more systemic oppressive relations including historical and continuing colonialist and racist practices."⁸³

CONCLUSION

When compared to the numbers who die of traffic-related or other avoidable injury, girls and boys, like Kim, Matthew, and Sophia, who perish at the hands of care-givers, remain relatively few. Such victims are not, however, inconsequential. As child abuse and death expert, Cyril Greenland has repeatedly reminded Canadians, such deaths are merely the tip of an iceberg.⁸⁴ Many thousands more have been wounded in spirit and body. Except for surges of preoccupation with child welfare before World War I and in the last decades of the 20th century and beyond, the peril of vulnerable youngsters has remained, nevertheless, too often invisible to the public eye. Still less likely to be systematically acknowledged has been the frequent plight of mothers, particularly those who are especially disadvantaged by class, race, and disability, who constitute the overwhelming majority of caregivers. Even well-intentioned public inquiries readily perpetuate and rework prescriptions of socially acceptable mothering that ultimately let communities and policy-makers off the hook by condemning individuals, most commonly mothers but social workers as well. Despite becoming more attuned to the complexities of women's lives as parents at the end of the 20th century and beyond, child welfare inquiries have generally made little more than glancing reference to the systemic disadvantage of women and the poor in general. Ultimately, it has often proved easier for Canadians to take violence and death for granted than to address the fundamental conditions that do so much to generate sad stories. The legacy of poverty, isolation and abuse inherited by women such as Jennifer Popen, Verna Vaudreuil, and Norma Jean Sinclair has rendered their progeny almost automatically vulnerable. For all the hopes of Judges Allen, Gove, and Conner, like those expressed by Ted Hughes in

his 2006 *BC Children and Youth Review* with which this article began, messing with the mechanics of child welfare offers little prospect of significantly improving the lot of youngsters. Ultimately, their optimal development relies on committing Canadians and their governments to addressing long-standing inequalities that direct so many women and children to despair.⁸⁵

NOTES

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- 1 Ted Hughes, *BC Children and Youth Review: An Independent Review of BC's Child Protection System* (7 April 2006): 15.
- 2 On the relatively low numbers of youngsters reported as abused and neglected in the late 20th century, for example, see Victor Montgomery and Nico Trocme, *Injuries Caused by Child Abuse and Neglect* (CECW [Centre for Excellence in Child Welfare] Information, 2004, #10E).
- 3 Marie-Aimée Cliché, *Maltraiter ou punir? La violence envers les enfants dans les familles québécoises, 1850-1969* (Montréal: Boréal, 2007) and Annalee Lepp, *Dis/membering the Family: Marital Breakdown, Domestic Conflict, and Family Violence in Ontario, 1830-1920* (Toronto: University of Toronto Press, 2006). See also Mona Gleason, "Disciplining Children, Disciplining Parents: The Nature and Meaning of Advice to Canadian Parents, 1945-1955," *Histoire sociale/Social History* XXIX, 47 (May 1996): 187-209. One of the rare Canadian historical overviews to focus on the question of violence typically failed to mention children: Kenneth McNaught, "Violence in Canadian History" in Michiel Horn and Ronald Sabourin, eds., *Studies in Canadian Social History* (Toronto: McClelland & Stewart, 1974), p. 376-391.
- 4 Canadian Centre for Justice Statistics, *Family Violence in Canada: A Statistical Profile* (Ottawa: Statistics Canada; Cat. No. 85-224-XPE, 2001), p. 16.
- 5 See Graham Parker, "The Origins of the Canadian Criminal Code" in Flaherty, ed., *Essays in History of Canadian Law*, Vol. 1 (Toronto: University of Toronto Press, 1981), p. 249-80; and D. H. Brown, *The Genesis of the Canadian Criminal Code of 1892* (Toronto: University of Toronto Press, 1989).
- 6 See the very useful study by Wade Riordan Raaflaub, *The "Spanking" Law: Section 43 of the Criminal Code* (Ottawa: Law and Government Division, rev. 23 January 2007), available at Library of Parliament. Parliamentary Information and Research Services. <http://www.parl.gc.ca/information/library/PRBpubs/prb0510-e.htm#intro>. Accessed 21 February 2007. On the introduction of legislation prohibiting physical punishment in daycares in BC, Alberta, Saskatchewan, Manitoba, Ontario, Nova Scotia, Prince Edward Island, Newfoundland and Labrador, Yukon, Northwest Territories and Nunavut, see Nico Trocme et al., *Physical Abuse of Children in the Context of Punishment* (Ottawa: Centre of Excellence for Child Welfare, Information Sheet #83, 2003). On the role of Canadian law see also J. M. Beattie, *Attitude Towards Crime and Punishment in Upper Canada, 1830-1850* (Toronto, University of Toronto Centre of Criminology, 1977); R. C. MacLeod, "The Shaping of Canadian Criminal Law 1892-1902" *Canadian Historical Association Historical Papers* (1978): 64-75; R. C. MacLeod, *Lawful Authority: Readings on the History of Criminal Justice in Canada* (Toronto: Copp Clark Pitman, 1988); and Carolyn Strange and Tina Loo, *Making Good: Law and Moral Regulation in Canada, 1867-1939* (Toronto: University of Toronto Press, 1997).

- 7 See the critic Michelle Landsberg, "Home-school groups defend child assault," *Toronto Star* (27 November 1981), p. C1. See also Adamira Tijerino, *Under Scrutiny: Corporal Punishment and Section 43 of the Canadian Criminal Code* (Vancouver: BC Institute Against Family Violence, 2001) and Susan M. Turner, *Something to Cry About: An Argument Against Corporal Punishment of Children in Canada* (Waterloo: Wilfrid Laurier University Press, 2002).
- 8 See, for example, Robert E. Larzelere and Brett R. Kuhn, "Comparing Child Outcomes of Physical Punishment and Alternative Disciplinary Tactics: A Meta-Analysis," *Clinical Child and Family Psychology Review* 8, 1 (March 2005): 1-37; and Statistics Canada, "Parenting Style and Children's Aggressive Behaviour, 1994-2000" *The Daily* (25 October 2004): 8-9.
- 9 Nico Trocme, *Canadian Incidence Study of Child Abuse and Neglect* (Ottawa: Public Health, 2005). See also J. E. Durrant, N. Trocme, B. Fallon, C. Milne, T. Black, and D. Knoke, *Punitive Violence Against Children in Canada* (Ottawa: Public Health, 2006).
- 10 Toronto Public Health, *National Survey of Canadians' Attitudes on Section 43 of the Criminal Code* (September 2003). On the public debate see Martha Bailey, "The Corporal Punishment Debate in Canada," *Family Court Review* 41, 4 (October 2003): 508-16.
- 11 Toronto Public Health, *National Survey of Canadians' Attitudes on Section 43 of the Criminal Code* (September 2003).
- 12 "Ontario Association of Children's Aid Societies," *Toronto Star* (23 October 2004): B03.
- 13 Ontario, *18th Report of the Department of Neglected and Dependent Children* (1911), p. 50.
- 14 *Canadian Foundation for Children, Youth and the Law v. Canada* (Attorney General), 2004 SCC 4, aff'g (2002), 57 O.R. (3d) 511 (C.A.), aff'g (2000), 49 O.R. (3d) 662 (S.C.).
- 15 On recurring data problems see Nico Trocme, et al., *Canadian Incidence Study of Reported Child Abuse and Neglect* (Ottawa: Minister of Public Works and Government Services Canada, 2001). On the general failure of reporting, see the important study, Cyril Greenland, *Preventing CAN Deaths: An International Study of Deaths Due to Child Abuse and Neglect* (London & New York: Tavistock Publications, 1987): p. 6-9; and the update on the continuing problem by Jan Christianson-Wood and Jane Lothian Murray, *Child Death Reviews and Child Mortality Data Collection in Canada* (Ottawa: Child Maltreatment Division, Bureau of Reproductive and Child Health, LCDC Health Canada, 1999) which concluded that "there are no comprehensive Canadian statistics on the incidence of child abuse and neglect deaths," p. 4. On some of the problems in appreciating the extent and the causes of infant and child mortality over time see the essays in Alain Bideau, Bertrand Desjardins, and Héctor Pérez Brignoli, eds., *Infant and Child Mortality in the Past* (Oxford: Clarendon Press, 1997); and Marco Breschi and Lucia Pozzi, *The Determinants of Infant and Child Mortality in Past European Populations* (Udine: Forum, 2004).
- 16 Wendy Taylor, "Child Death and Critical Injury Review" for *BC Children and Youth Review* (April 2006): 2. See also the extended failure to investigate the suspicious death of an Aboriginal three-year-old in Prince George, BC in 2001, Lori Culbert and Miro Cernetig, "Six years after tot's death, inquest still not scheduled," *Vancouver Sun* (15 March 2007): A1, A3. Due to public outrage, an inquest was subsequently scheduled.
- 17 Taylor, "Child Death and Critical Injury Review," p. 53.
- 18 Statistics Canada table 102-0503, "Deaths by age and sex, Canada, provinces and territories, annual (number)," <http://estat.statcan.ca/cgi-win/...> Accessed 5 April 2007.
- 19 Figure 2 "Number of child injury deaths, 1991-95," "A League Table of Child Deaths by Injury in Rich Nations," *Innocenti Report Card*, No. 2 (February 2001), p. 6.
- 20 The findings of the *National Longitudinal Survey of Children and Youth* enables us to chart these connections much more precisely than before. See Hassan Soubhi, Parminder Raina and Dafna Kohen, *Effects of Neighbourhood, Family, and Child Behaviour on Childhood Injury in Canada* (Ottawa: Applied Research Branch. Strategic

- Policy. Human Resources Development Canada, March 2001). For the particular problem of deaths of Aboriginal infants see the early article, Victor Piche and M. V. George, "Estimates of Vital Rates for the Canadian Indians 1960-1970," *Demography* 10, 3 (August 1973): 367-82, which failed to consider how prevailing racism might both encourage undercounting and contribute to high death rates. See also George Alter, "Infant and Child Mortality in the United States and Canada" in Bideau, Desjardins, Perez-Brignoli, *Infant and Child Mortality in the Past*, 91-108. See also the argument by Samuel H. Preston and Michael R. Haines, *Fatal Years: Child Mortality in Late Nineteenth-Century America* (Princeton, NJ: Princeton University Press, 1991) that emphasizes the effect of communicable diseases in keeping mortality high. See also the useful reminder that increased mortality of Canadian infants, as between 1992 and 1993, may reflect the increased registration of infants with very low birth weights as live births. K. S. Joseph and Michael S. Kramer, "Recent Trends in Canadian Infant Mortality Rates: Effect of Changes in Registration of Live Newborns Weighing less than 500 g.," *Canadian Medical Association Journal*, 155, 8 (1996): 1047-52 and the general reminder about the implications for reporting of more multiple birth, low weight, and vulnerable infants as well as the problems in the comparability of data among jurisdictions, Godelieve Masuy-Stroobant, "Infant Health and Infant Mortality in Europe: Lessons from the Past and Challenges for the Future" in Carolo A. Corsini and Pier Paolo Viazzo, eds., *The Decline of Infant and Child Mortality: The European Experience: 1750-1990* (Udine: Forum, 2004).
- 21 "A League Table of Child Deaths by Injury in Rich Nations," p. 14.
 - 22 See L. H. Pelton, "Child Abuse and Neglect: The Myth of Classlessness," *American Journal of Orthopsychiatry*, 48, 4 (1978): 608-17.
 - 23 On the particular diagnostic problems in the case of SIDS which shares characteristics with child abuse, see L. T. Foster, W. J. Kierans, J. Macdonald, "Sudden Infant Death Syndrome: A Literature Review and a Summary of BC Trends" in Michael V. Hayes and Leslie T. Foster, eds., *Too Small To See, Too Big To Ignore: Child Health and Well-being in British Columbia*, Canadian Western Geographical Series 35 (Victoria: University of Victoria, Western Geographical Press, 2002), p. 51-52.
 - 24 Corinne Robertshaw, *Discussion Paper on Child Protection in Canada* (Ottawa: Health and Welfare Canada: February 1981).
 - 25 See Bette L. Cahill, *Butterbox Babies* (Toronto: Seal Books, 1992) and *Butterbox Babies: Baby Sales, Baby Deaths: New Revelations 15 years Later* (Halifax: Fernwood Press, 2006); and Agnes Grant, "Doris Pratt," *Finding My Talk: How Fourteen Native Women Reclaimed Their Lives after Residential School* (Calgary: Fifth House, 2004), p. 118.
 - 26 See his later *The Story of a National Crime Being an Appeal for Justice to the Indians of Canada* (Ottawa: James Hope and Sons Ltd., 1922) and Megan Sproule-Jones, "Crusading for the Forgotten: Dr. Peter Bryce, Public Health, and Prairie Native Residential Schools," *CBMH/BCHM*, 13, 2 (1996): 199-224.
 - 27 On the difference between English and French Canada see Denyse Baillargeon, "Orphans in Quebec: On the Margins of Which Family," in Nancy Christie and Michael Gavreau, eds., *Mapping the Margin: The Family and Social Discipline in Canada, 1700-1975* (Montreal & Kingston: McGill-Queen's University Press, 2004) p. 305-26.
 - 28 See Franca Iacovetta and Karen Dubinsky, "Murder, Womanly Virtue, and Motherhood: The Case of Angelina Napolitano, 1911-1922," *Canadian Historical Review*, 72 (1991): 505-31. On domestic violence more generally see Lepp, *Dis/membering the Family*.
 - 29 On the WCTU see Sharon Cook, *"Through Sunshine and Shadow": The Woman's Christian Temperance Union, Evangelicalism and Reform in Ontario, 1874-1930* (Montreal: McGill-Queen's University Press, 1995).
 - 30 See Andy Wachtel, *Child Abuse: Discussion Paper* (Ottawa: National Clearing House on Family Violence, Health and Welfare Canada, 1989).
 - 31 Robertshaw, *Discussion Paper on Child Protection*, pp. 126-44 for various initiatives of this sort. Dates of initiation occasionally differ by a year or two in various sources.

- 32 Mary Van Stolk, *The Battered Child in Canada* (Toronto: McClelland & Stewart, 1972).
- 33 For a useful reference to these developments see Peter Silverman, *Who Speaks for the Children? The Plight of the Battered Child* (Don Mills: Musson Book Co., 1978) and Wachtel, *Child Abuse*.
- 34 See Standing Committee on Health, Welfare and Social Affairs, *Child Abuse and Neglect: Report to the House of Commons, Thirtieth Parliament, 1974-75-76* (Ottawa: Queen's Printer, 1976).
- 35 Benjamin Schlesinger, *Child Abuse in Canada* (Toronto: University of Toronto Press, 1977). For the reference to McClelland see Alison Hatch Cunningham, *Victims of Crime and the Justice System in Ontario: An Issues Paper*, Child Witness Project, London Family Court Clinic, London, Ontario, October 1994, Footnote 107, p. 90. Accessed 5 March 2007 http://www.lfcc.on.ca/victim_issues.pdf. See also James King, *Jack: The Story of Jack McClelland* (Toronto: Knopf Canada, 1999).
- 36 See, for example, Christopher Bagley, *Child Sexual Abuse within the Family: An Account of Studies 1978-1984* (Calgary: Faculty of Social Welfare, University of Calgary, 1985) and Benjamin Schlesinger, ed., *Sexual Abuse of Children in the 1980's: Ten Essays and an Annotated Bibliography* (Toronto: University of Toronto Press, 1986).
- 37 For rare discussion of limited early attention see Marie-Aimée Cliché, "Du péché au traumatisme: L'inceste, vu de la Cour des jeunes délinquants et de la Cour du bien-être social de Montréal, 1912-1965" *Canadian Historical Review* 87, 2 (June 2006): 199-222.
- 38 Canadian feminists have produced an extensive literature on violence against women and children. See, for example, Katherine M. McKenna and June Larkin, eds., *Violence Against Women: New Canadian Perspectives* (Toronto: Inanna Publications and Education, 2002). The high profile of this issue is suggested by the release of a report titled, *The War Against Women* (1991) by a House of Commons Sub-Committee on the Status of Women. In response to one of its recommendations, the federal government established the Panel on Violence against Women the same year. Its final report was *Changing the Landscape: Ending Violence—Achieving Equality* (June 1993).
- 39 Committee on Sexual Offences against Children and Youth, *Sexual Offences Against Children: Report of the Committee on Sexual Offences Against Children and Youth* (the Badgely Report), Vols. 1 and 2 (Ottawa: Department of Supply and Services, 1984) and C. Bagley, *Child Sexual Abuse in Canada: Further Analysis of the 1983 National Survey* Health and Welfare Canada, 1988.
- 40 See, for example, Charlotte Van Allen, *Daddy's Girl* (Toronto: McClelland & Stewart, 1980); Elly Danica, *Don't: A Woman's Word* (Charlottetown, PEI: Gynergy Books, 1988); and Sylvia Fraser, *In My Father's House: A Memoir of Incest and Healing* (Toronto: Doubleday, 1988). See also Mornay Joy, "Writing as Repossession: The Narratives of Incest Victims," in M. Joy, ed., *Paul Ricoeur and Narrative: Context and Contestation* (Calgary: University of Calgary Press, 1997).
- 41 Ralph Garber, Chairman, *Report of the Task Force on Child Abuse* (Toronto: Children's Services Division, Ontario Ministry of Community and Social Services, June 1978): p. 60.
- 42 Michelle Landsberg, "Catherine Arthur, you scare me," *Toronto Daily Star* (11 March 1980): C1.
- 43 See, for example, the cases from the 19th century reported in Xiaobei Chen, *Tending the Gardens of Citizenship: Child Saving in Toronto, 1880s-1920s* (Toronto: University of Toronto Press, 2005): 35-36 and the failure to listen to victims and their parents' complaints of sexual abuse by an Ontario public school teacher between 1972 and 1993 in The Honourable Sydney L. Robins, *Protecting Our Students: A Review to Identify & Prevent Sexual Misconduct in Ontario Schools* (Toronto: Queen's Printer, 2000): p. 25.
- 44 "Publish full child-abuse study," *Toronto Star* (18 April 1981): B2 and "Unblock Child Abuse Study," *Toronto Star* (4 August 1981): A8. See also Michelle Landsberg, "Voice of outrage on child abuse must not be stifled," *Toronto Star* (18 September 1981): C1.

- 45 On the complicated problems represented by these debates see Adrienne Harris, "False Memory? False Memory Syndrome? The So-Called False memory Syndrome?" *Psychoanalytic Dialogues* 6 (1996): 155-87; L. S. Berger, "Cultural Psychopathology and the 'False Memory Syndrome' Debates: A View from Psychoanalysis," *American Journal of Psychotherapy*, 50, 2 (Spring 1996): 167-77; Kathy Pezdek and William P. Banks, eds., *The Recovered Memory/False Memory Debate* (San Diego: Academic Press, 1996); and Graham Davies and Tim Dalgleish, eds., *Recovered Memories: Seeking the Middle Ground* (Chichester; N.Y.: John Wiley, 2001). On the problem of unsubstantiated allegations of abuse see Theresa Knott, Nico Trocme, and Nick Bala, *False Allegations of Abuse and Neglect* (CECW Information 2004 #13E) which drew its conclusions from the first Canadian study to track this problem, the 1998 Canadian Incidence Study of Reported Child Abuse and Neglect. Thirty-one percent of 135,573 investigations in 1998 were "unsubstantiated but reported in good faith, a rate consistent with estimates reported in other studies. Intentionally false reports involved an estimated 530,000 children." Thirty-two percent of these came from "relatives, neighbours and acquaintances." Twenty-two percent came from "anonymous sources" and another 16% from "non-custodial parents, mostly fathers." Four percent were reported by "custodial parents (mostly mothers) and only 2% are reported by children" (p. 1).
- 46 Mia Dauvergne, "Family related homicides against children and youth," in *Family Violence in Canada: A Statistical Profile 2006* (Ottawa: Statistics Canada, July 2006), 58-59.
- 47 James King, Morag MacKay, Angela Sirnick, with the Canadian Shaken Baby Study Group, "Shaken Baby Syndrome in Canada: Clinical Characteristics and Outcomes of Hospital Cases," *Canadian Medical Association Journal*, 168, 2 (21 January 2003): 156, 158.
- 48 See Dauvergne, "Family Related Homicides Against Children and Youth" and Pamela Gough and Don Fuchs, *Children with disabilities receiving services from child welfare agencies in Manitoba* (CECW Information, 2006 #32E). See also Veronica Strong-Boag, "'Children of Adversity': Disabilities and Child Welfare in Canada from the 19th century to the 21st," *Journal of Family History* 32 (2007): 413-32.
- 49 Linda Gordon, *Heroes of Their Own Lives: The Politics and the History of Family Violence, Boston, 1890-1960* (New York: Penguin Books, 1989).
- 50 Some recent studies also document a majority of male offenders. See Dauvergne, "Family Related Homicides Against Children and Youth," for most recent data (p. 59) and Robert Silverman and Leslie Kennedy, *Deadly Deeds: Murder in Canada* (Toronto: Nelson Canada, 1993), which identifies fathers as the perpetrators in 323 of the 620 cases of a parent killing a child between 1961 and 1990 in Canada (p. 77). The same study also concludes that the younger the child the more likely the murderer is female and that the offender is very young themselves (p. 188-89). For a study that identified mothers and step-mothers as more common perpetrators, see Marlene L. Dalley, "The Killing of Canadian Children by a Parent(s) or Guardian(s): Characteristics and Trends 1990-1993" (Ottawa: Missing Children's Registry & National Police Services, RCMP, 2000). Disagreement may reflect the diverse and uncertain methods of identification and reporting and shifts from one reporting period to another.
- 51 See Greenland, *Preventing CAN Deaths*, chap. 1 and 3.
- 52 Greenland, *Preventing CAN Deaths*, p. 165.
- 53 Greenland, *Preventing CAN Deaths*, p. 67. See the occasional sympathy reported in Kirsten Johnson Kramar, *Unwilling Mothers, Unwanted Babies: Infanticide in Canada* (Vancouver: UBC Press, 2005), Andrée Lévesque, "Mères célibataires et infanticides à Montréal, 1914-1930," in C. Bard et al., eds., *Femmes et Justice Pénale, XIX^e-XX^e Siècles* (Rennes: Presses Universitaires de Rennes, 2002): 97-109; Marie-Aimée Cliché, "L'infanticide dans la région de Québec (1660-1969)," *Revue d'histoire de l'Amérique française* 44, 1 (été 1990): 31-59; and William Beahen, "Abortion and Infanticide in

- Western Canada 1874 to 1916: A Criminal Case Study," *CCHA, Historical Studies*, 53 (1986) 53-70.
- 54 On the differing criteria that have prompted reviews of child deaths by the provinces see Christianson-Wood and Murray, *Child Death Reviews*, p. 20-22.
 - 55 In particular, the deaths of Loretta Antone (d. 18 December 1975, age 6), Adrienne Paquette (d. 5 June 1976, age 5), Norma Dean (d. 20 August 1976, age 14), Vicki Ellis (d. 2 March 1977, age 13 mos.), Keri Lynn D'Eri (d. 6 May 1977, age 22 mos.) and Jennifer McGill (d. 3 August 1977, age 17 mos.) received unprecedented press coverage, bringing local Children's Aid Societies, the Ontario Association of Children's Aid Societies, and the Ontario Ministry of Community and Social Services into the public eye.
 - 56 For commentary on Gove's report see Andrew Armitage, "Lost Vision: Children and the Ministry for Children and Families" *BC Studies*, 118 (Summer 1998): 93-108.
 - 57 For an example of the murderous father who falls into the camp of those attempting to punish their partners, the mothers of the victims, see the case of Jay Handel in Rod Mickleburgh, "B.C. father goes on trial in fire deaths of 6 children," *Globe & Mail* (15 September 2003), A3. Despite his defence of mental disorder, Handel was convicted of first-degree murder in 2003. See also the assessment in Rosemary Gartner, Myrna Dawson and Maria Crawford, "Woman Killing: Intimate Femicide in Ontario, 1974-1994," *Resources for Feminist Research/Documentation sur la Recherche féministe*, 26, 3 & 4 (1998): 151-74. See also R. P. Dobash, R. E. Dobash, M. Wilson, and M. Daly, "The Myth of Sexual Symmetry in Marital Violence," *Social Problems*, 39, 1 (1992): 71-91 and D. Finkelhor and D. Russell, "Women as Perpetrators: Review of the Evidence," in D. Finkelhor, ed., *Child Sexual Abuse* (New York: Free Press, 1994).
 - 58 Susan Strega, "Failure to Protect: Child Welfare Interventions When Men Beat Mothers" in Ramona Alaggia and Cathy Vine, eds., *Cruel but not Unusual: Violence in Canadian Families* (Waterloo: Wilfrid Laurier University Press, 2006), p. 237.
 - 59 On a similar absence in cases of neglect see M. Mayer, S. Dufour, C. Lavergne, M. Girard, N. Trocme, *Comparing Parental Characteristics Regarding Child Neglect: An Analysis of Cases Retained by Child Protection Services in Quebec* (Toronto: Centre of Excellence for Child Welfare, 2003).
 - 60 Marlee Kline, "Complicating the Ideology of Motherhood: Child Welfare Law and First Nation Women" *Queen's Law Journal* 308 (1993): 313.
 - 61 Kline, "Complicating the Ideology of Motherhood," p. 315.
 - 62 Kline, "Complicating the Ideology of Motherhood," p. 310.
 - 63 Judge H. Ward Allen, *Judicial Inquiry into the Care of Kim Anne Popen by the Children's Aid Society of the City of Sarnia and the County of Lambton* (Toronto: The Inquiry, 1982), p. 15.
 - 64 The text of the inquiry disputes Jennifer's age, noting that her birth certificate says she was born in 1959 but that it was also quite obviously altered from 1957. No reason is known for the alteration and Jennifer herself appeared unaware of her exact age.
 - 65 Allen, *Judicial Inquiry into the Care of Kim Anne Popen*, p. 19-21.
 - 66 Thomas J. Gove, *Report of the Gove Inquiry into Child Protection in British Columbia: A Commission of Inquiry into the adequacy of the services, policies and practices of the Ministry of Social Services as they relate to the apparent neglect, abuse and death of Matthew John Vaudreuil* (Victoria, BC: The Inquiry, 1995): p. 96.
 - 67 On Caribbean and migrant mothering see, for example, Christine G. T. Ho, "The Internationalization of Kinship and the Feminization of Caribbean Migration," *Human Organization*, 52, 1 (1993): 32-40; Christine G. T. Ho, "Caribbean Transnationalism as a Gendered Process" *Latin American Perspectives* 26, 4 (1999): 34-54; and J. E. Greene, ed., *Race, Class and Gender in the Future of the Caribbean* (Kingston, Jamaica: Institute for Social and Economic Research, University of the West Indies, 1993).
 - 68 Gove, *Report of the Gove Inquiry*, p. 18.

- 69 Arnold J. Conner, *The Fatality Inquiries Act Report by Provincial Judge on Inquest Respecting the Death of Sophia Lynn Schmidt* (2003) p. 35.
- 70 Armitage, "Lost Vision," p. 106.
- 71 Cyril Greenland, *Child Abuse Deaths in Ontario* (Toronto: Ministry of Community and Social Services, June 1978), p. 1.
- 72 Allen, *Judicial Inquiry into the Care of Kim Anne Popen*, p. 23.
- 73 Allen, *Judicial Inquiry into the Care of Kim Anne Popen*, p. 27.
- 74 Allen, *Judicial Inquiry into the Care of Kim Anne Popen*, p. 14.
- 75 Allen, *Judicial Inquiry into the Care of Kim Anne Popen*, p. 14.
- 76 Gove, *Report of the Gove Inquiry*, p. 63-64.
- 77 Gove, *Report of the Gove Inquiry*, p. 66.
- 78 Gove, *Report of the Gove Inquiry*, p. 135.
- 79 According to Conner's explanation an agency seeks "to identify the client's goals, strengths and weaknesses, respect[s] the client's right and responsibility to make choices and set personal goals. They [seek] to empower the client to attain the personal goals by providing resources and assistance. Participation by the client is voluntary and the programs are client driven." *The Fatality Inquiries Act Report*, p. 7.
- 80 Conner, *The Fatality Inquiries Act Report*, p. 143.
- 81 See, *inter alia*, Sylvia Bashevkin, *Welfare Hot Buttons: Women, Work and Social Policy Reform* (Toronto: University of Toronto Press, 2002).
- 82 Armitage, "Lost Vision," p. 105-6.
- 83 Kline, "Complicating the Ideology of Motherhood," p. 322.
- 84 Greenland, *Preventing CAN Deaths*.
- 85 On the importance of remembering the connection between the well-being of children and women see Susan B. Boyd, *Child Custody, Law, and Women's Work* (Toronto: Oxford University Press, 2003).